

REMARKS

Claims 1-13 were pending in the application. Claims 8-13 have been cancelled without prejudice. Therefore, claims 1-7 are currently pending.

No new matter has been added. Cancellation of claims should in no way be construed as acquiescence to any of the Examiner's objections and/or rejections. The cancellation of claims is being made solely to expedite prosecution of the above-identified application. Applicants reserve the option to further prosecute the same or similar claims in the present or another patent application. The cancellation of the claims is not related to any issues of patentability.

Response to the Restriction Requirement Under 35 U.S.C. §121

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

- Group I: Claims 1-7 are, drawn to a method of detecting halitosis, classified in class 242, subclass 49.
- Group II: Claims 8-13 are, drawn to a kit for detection of halitosis, classified in class 435, subclass 34.

Applicants hereby elect Group I (claims 1-7), drawn to a method of detecting halitosis, without traverse.

Response to Species Election

The Examiner has required Applicants to elect, under 35 U.S.C. §121, a single disclosed halitosis associated compound species for prosecution on the merits. Applicants hereby elect indole.

Applicants respectfully submit that claims 1-7 are readable on this species.

It is Applicants understanding that the species election is for searching purposes only, and upon a finding of allow ability of the elected species, the remaining species also will be searched.

Application No.: 10/696,414
Attorney Docket No.: RBI-022

Examiner: J. R. Samala
Group Art Unit: 1618

SUMMARY

It is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephone conference with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Dated: October 1, 2007

Respectfully submitted,
By 
Cynthia M. Soroos
Registration No.: 53,623
LAHIVE & COCKFIELD, LLP
One Post Office Square
Boston, Massachusetts 02109-2127
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant